

October 23, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 23, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of October 9, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-274  
NCC Enterprises, Inc.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission acknowledge the withdrawal by Hess Corporation of its third party damage complaint against NCC Enterprises, Inc. and close Case Number PU-13-274, Public Service Commission, NCC Enterprises, Inc., Damage Prevention Enforcement.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-758  
Minnesota Limited LLC.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission acknowledge the withdrawal by Hess Corporation of its third party damage complaint against Minnesota Limited, LLC and close Case Number PU-13-758, Public Service Commission, Minnesota Limited, LLP, Damage Prevention Enforcement.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-274  
NCC Enterprises, Inc.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission acknowledge the withdrawal by Hess Corporation of its third party damage complaint against NCC Enterprises, Inc. and close Case Number PU-13-274, Public Service Commission, NCC Enterprises, Inc., Damage Prevention Enforcement.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-758  
Minnesota Limited LLC.  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission acknowledge the withdrawal by Hess Corporation of its third party damage complaint against Minnesota Limited, LLC and close Case Number PU-13-758, Public Service Commission, Minnesota Limited, LLP, Damage Prevention Enforcement.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-729  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Ryan Thompson- McKenzie County  
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Ryan Thompson at a location in McKenzie County, North Dakota, Case No. PU-13-729.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-329  
Griggs County Telephone Co.  
Designated Eligible Carrier  
Application

Mr. Kalk: I move the Commission adopt the Order granting the application of Griggs County Telephone Cooperative for certificates of public convenience and necessity to provide facilities-based incumbent local exchange services in the Enderlin and Sheldon exchange areas in North Dakota, Case No. PU-13-330 and designating Griggs County Telephone Co. as an eligible telecommunications carrier in those exchange areas, Case No. PU-13-329.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-330  
Griggs County Telephone Co.  
Local Exchange  
Public Convenience & Necessity

Case No. WM-13-316  
Brenntag Pacific, Inc.  
Variance Permit  
Application

Mr. Christmann: I move the Commission acknowledge Brenntag Pacific, Inc.'s August 15, 2013 filing of a Compliance Plan concerning its truck scale located at Dickinson, North Dakota and grant an extension of the Temporary Variance Permit issued for the truck scale changing the expiration date from October 31, 2013 to October 31, 2014, Case No. WM-13-316.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-810  
Annie's Inc.  
Roving Grain Buyer - Berkeley, CA  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-810 granting the request of Annie's Inc. of Berkeley, California to operate as a roving grain buyer in North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-827  
Birdsall Grain & Seed, LLC  
Grain Warehouse - Berthold, ND  
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-827 granting the request of Birdsall Grain & Seed, LLC to operate a 28,000-bushel grain warehouse at Berthold, North Dakota effective immediately.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-683  
Hess Corporation  
14" Crude Oil Pipeline –  
Williams County  
Siting Application

HOLD OVER

Case No. PU-13-803  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Natural Gas Service Rate Increase  
Application

Ms. Fedorchak: I move the Commission issue the Notice of Public Input Sessions in Montana-Dakota Utilities Co. natural gas rate increase application, Case No. PU-13-803.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-825  
Bakken Oil Express, LLC  
16-Inch Crude Oil Pipeline/  
Dunn and Stark Counties  
Siting Application

Ms. Fedorchak: I move the Commission deem complete, pending receipt of the State Office of Historical Preservation finding of no historic properties affected, the applications of Bakken Oil Express, LLC for a corridor certificate, a route permit, and for a waiver of procedures and time schedules concerning the construction of a 38-mile 16-inch diameter crude oil pipeline in Dunn and Stark Counties, North Dakota, and issue a Notice of Filings and Notice of Hearing in Case No. PU-13-825.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-799  
Dakota Prairie Refining, LLC  
Two 6-Inch Petroleum Product  
Pipelines - Stark County  
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Filing and Notice of Opportunity for Hearing in the application of Dakota Prairie Refining, LLC for a waiver of procedures and time schedules, a corridor certificate and a route permit for two 6-inch petroleum product transmission pipelines in Stark County, North Dakota, Case No. PU-13-799.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-194  
Northern States Power Company  
Advance Determination of Prudence -  
NG Generators  
Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt as advisory staff counsel to assist the Commission in processing Northern States Power Company, Advance Determination of Prudence - NG Generator, Application, Case No. PU-13-194, and Northern States Power Company, Public Convenience & Necessity, Red River Valley NG Units 1 & 2 - Hankinson, Case No. PU-13-195.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-195  
Northern States Power Company  
Red River Valley NG Units 1 & 2 -  
Hankinson, ND  
Public Convenience & Necessity

October 23, 2013

Page 4

Post Probationary Period Salary  
Adjustment

Mr. Kalk: I move the approval of a salary increase effective October 16, 2013 for Position No. 408-5029, upon the satisfactory completion of a six month probationary period, in an amount consistent with the terms set forth in the Commission's March 12, 2013 offer of employment.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:50 P.M.

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Executive Secretary

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BRIAN P. KALK, CHAIRMAN